

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

SAMSON TUG AND BARGE CO., INC.,
an Alaska Corporation

Plaintiff/Appellant

vs.

UNITED STATES OF AMERICA,

Defendant/Appellee

Case Number: A03-006 CV
Admiralty JWS

**JOINT STIPULATION OF PARTIES TO
MODIFY CERTAIN DISCOVERY DEADLINES,
WITH PROPOSED ORDER**

COME NOW the parties hereto and respectfully propose this Stipulation and Order regarding certain discovery deadlines and factual matters. The facts relevant to the parties' claims and defenses involve the formation, performance and alleged breach of a maritime contract whereby Samson Tug & Barge Co., Inc. (Plaintiff) provided transportation by barge between the continental United States and the Naval Air Station/Facility at Adak, Alaska in the mid-1990s. The Adak base was closed in 1997. This lawsuit was filed in January of 2003. Depositions and document exchanges are ongoing in this case, and extensive document exchanges and a deposition occurred in the first four months of 2007. Additional other depositions and submittals of expert reports are scheduled. To accommodate the schedules of the parties' experts who are preparing their respective reports and who will be deposed based on those reports, Counsel have conferred and agreed that a limited modification of some of the deadlines previously approved by the Court is needed. No extension in the discovery or motion deadlines is being sought. Accordingly the parties are filing this Joint Stipulation and Proposed Order to set forth their need for a modification of the discovery schedule in certain limited regards, and jointly request the Court's approval of the deadlines proposed herein.

THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:

- (1) The close of discovery shall remain as presently scheduled on July 27, 2007.
- (2) The last date for filing dispositive motions shall remain on August 24, 2007.
- (3) The date for fact witness disclosures shall be extended until April 27, 2007.
- (4) Plaintiff's expert shall file his report by April 27, 2007, and Defendant's expert shall file his report by July 13, 2007.

Respectfully submitted,

Dated: April 20, 2007

/s/ Richard D. Gluck
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Counsel for Samson Tug and Barge Co., Inc.

Dated: April 20, 2007

/s/ William G. Royce
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Dated: April 20, 2007

/s/ Jeanne M. Franken (consent)
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PROPOSED ORDER

This matter has come before the Court on a Joint Stipulation of Parties to Modify Certain Discovery Deadlines, and good cause having been shown.

IT IS HEREBY ORDERED that:

- (1) The close of discovery shall remain as presently scheduled on July 27, 2007.
- (2) The date for filing dispositive motions shall remain on August 24, 2007.
- (3) The date for fact witness disclosures shall be extended to April 27, 2007.
- (4) Plaintiff's expert shall file his report by April 27, 2007, and Defendant's expert shall file his report by July 13, 2007.

Dated this ____ day of April, 2007.

Chief Judge John W. Sedwick
United States District Court
District of Alaska